

NEPA Forecast Report May 3, 2017

APPROACHING DEADLINES (NEXT 2 WEEKS)

Nothing to Report

MONITORING (Projects Either Meet or Potentially Meet Elevation Criteria)

1. Potential and Prior Adverse Ratings on Draft EISs:

R9/Forest Service (USFS)/Record of Decision/ Rosemont Copper Mine/

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

- **Background:** The EIS evaluates a proposed new, 4,800 acre open-pit copper and molybdenum mine to be constructed mostly on USFS National Forest Land southwest of Tucson.
- **EPA Involvement:** EPA rated the Draft EIS as "EU-3" (Environmentally Unsatisfactory – Inadequate Information) due to concerns regarding degradation of aquatic habitat, significant air quality impacts, and impacts to tribal and cultural resources, biological resources, and human health. Upon review of the Final EIS, EPA determined that the issues underlying its "EU" rating had not been resolved, and notified USFS and the White House Council on Environmental Quality (CEQ) that the Project remains a candidate for referral. Then, pursuant to an EPA request, USFS extended the referral deadline indefinitely to allow time for an interagency process to seek resolution of the outstanding issues, and for the Corps Section 404 permit decision to inform any referral decision. Since late 2013, CEQ has been facilitating interagency discussions toward this end.
- **Status:** A new Army Corps Division team is currently conducting a de novo review of the District's December 2016 decision to not issue a 404 permit for the current proposal. The District's December 2016 decision was based upon the determination that the proposed Rosemont Mine will cause or contribute to violations of state water quality standards and significant degradation of waters of the US. In order to reset the federal agency referral clock, USFS will publish a Federal Register notice (on or about May 5th) that will reopen the review period for the Rosemont Copper Mine Final EIS for 30 days. Following the review period, USFS plans to issue their Record of Decision (ROD). OFA is working with Region 9, OGC, and AAships to identify and vet EPA response options during this 30-day review period.

Unrelated/Unresponsive

Unrelated/Unresponsive

Unrelated/Unresponsive

Draft -- Deliberative

Nothing to Report

[PAGE * MERGEFORMAT]